

REMARKS

In the Office Action mailed from the United States Patent and Trademark Office February 27, 2006, the Examiner rejected all remaining claims under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement and as being based on a disclosure which is not enabling. The Examiner also rejected all remaining claims under 35 U.S.C. § 112, second paragraph as being indefinite for failing to point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner then rejected the claims as best understood under 35 U.S.C. § 103(a) as follows: claims 1-4, 6, 9, 12, and 13 as being unpatentable over Kaelble ("Best Man: Do It Best Corp., Based in Fort Wayne, is a \$2.2 Billion National Hardware Cooperative," hereinafter "Kaelble") in view of Pack ("These Old Web Sites," hereinafter "Pack"), and claims 7, 8, 14-16, 18, 21, 23-25, 28-30, and 34-43 as being unpatentable over Kaelble in view of Pack and further in view of Porter ("The Pitfalls of Doing It Yourself," hereinafter "Pack").

Applicant therefore provides the following. Claims 1, 3, 8, 14, 18, 25, 30, 34, and 42 are amended. Claims 44 and 45 are new and depend from independent claim 1. Applicant provides the following remarks:

Rejections under 35 U.S.C. § 112, First and Second Paragraphs:

In the Office Action, the Examiner rejected all claims under various provisions of 35 U.S.C. § 112. In essence, the rejections all depend on two items contained in the claims: 1) the inclusion of the transmission of tracked training information to the other modules of the system, method, etc., and 2) in claims 14 and 34 the step of determining "whether to perform said task or

to have said task performed professionally,” with the determination depending in part on the tracked training information.

Applicant has amended all independent claims to remove the references to tracking training, and transmitting the tracked training information to other modules. Applicant has also amended claims 14 and 34 to clarify on what the determination depends, eliminating any reference to any tracked training information. All amendments to the claims in relation to these rejections are supported by the specification as originally filed (the majority being deletions); the amendments to claims 14 and 34 are supported at least by the specification as filed at page 12 lines 3-9. In light of the amendments by Applicant, Applicant respectfully submits that the claims no longer contain any material that fails to comply with the written description requirement, no material that is not enabled, and no material that is indefinite. Applicant therefore submits that the rejections have been overcome and respectfully requests removal of all rejections under 35 U.S.C. § 112.

Rejections under 35 U.S.C. § 103(a):

The standard for a Section 103 rejection is set forth in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicant respectfully submits that the references cited by the Examiner do not teach or suggest all the limitations included in the present claim set and that there is no motivation or suggestion to combine the art in the manner suggested by the Examiner.

Specifically, independent claim 1 has been amended to require a training module “for generating project information for performing said task,” and for “transmitting to another module of the integrated system said project information generated for performing said task.” These amendments are supported by the specification at page 10 lines 10-24 and page 11 lines 7-12. Claim 1 also requires an estimation module for “receiving said project information” and for “estimating the cost of accomplishing said task from said project information.” Claim 1 further requires a purchasing module for “receiving said project information and for providing means for purchasing at least one of (i) materials and (ii) services for performing said task and contained in said project information.” These limitations are taught in the specification as filed on pages 10-13, and illustrate the integrated nature of the claimed system which provides the benefits also taught on pages 10-13. Applicant respectfully submits that these limitations are not taught by the cited references.

Kaelble teaches a vendor web site that also provides products and “do-it-yourself advice and project tips” (paragraph 19). Kaelble does not teach any integration whatsoever between the aspects of the web site providing the do-it-yourself advice and project tips and the purchasing portions of the site. It is thus not surprising that Kaelble does not teach that any portion of what might be considered training aspects of the site either generate project information or transmit the generated project information to any other modules. Kaelble also does not teach any estimation, as recognized by the Examiner on page 12 of the Office Action. Finally, Kaelble does not teach a purchasing module that receives the generated project information and provides

means for purchasing materials or services for performing the task contained in the project information. Kaelble never discloses any information about how purchases are made beyond the fact that sales are available over the Internet (paragraph 17) or in standard retail locations (whole article).

Pack teaches information websites that include tips and various calculation tools. Specifically, Pack teaches one website with a "Calculation subsection" that will "soon" include "calculators that 'will simplify preparation efforts for your next project by helping you estimate job costs and materials required before you begin,'" (paragraph 7) and another with online "Project Calculators, including a Paint Estimator, a Drywall Estimator, and a Lumber Cost Estimator" (paragraph 13). Of all the sites discussed by Pack, only one, the Faucet Outlet Online Home Page allows any kind of ordering; the remaining sites are merely informational. The Faucet website discussed is of a very conventional nature also: although some tips and advice appear to be offered, purchasing only occurs by "brows[ing] and order[ing]" in a process similar to what occurs on any vendor website.

Nowhere at all does Pack teach any integration between the various aspects of the websites discussed: between training, estimating, and purchasing. Thus Pack does not teach a training module that generates project information and transmits the generated project information to other modules, nor does Pack teach an estimating module that receives the generated project information and estimates the project cost from that information. From the disclosure of Pack, it appears that at best Pack teaches an estimator where information is entered manually at the estimation module to provide the estimate and is never used again. Finally, nothing in Pack teaches a purchasing module that receives the project information and provides means to purchase materials or services contained in the project information. As described, Pack

only teaches standard purchasing methods where a user browses through items and selects one for purchase.

Because neither Kaelble nor Pack teach the above-referenced aspects of the invention, Applicant respectfully submits that the cited combination of references does not make obvious claim 1. Furthermore, because the combination of Kaelble and Pack provide no discernable advantages, Applicant respectfully submits that there is no motivation to combine references and that no one of skill in the art would expect success in arriving at the claimed invention by combining these references. As discussed above, neither reference discloses any integration between training, estimating, and selling/purchasing. Pack merely adds disclosure indicating that project calculation tools are available on some web sites. However, since those project calculation tools are not linked to any training or linked to direct purchasing efforts, the tools provided in Pack, even if added to Kaelble, fail to add benefits to the website in Kaelble that arrive anywhere close to the claimed invention, and Kaelble does not add anything of significance to Pack that approaches in any way the claimed invention.

In the Office Action, the Examiner indicated that it would have been obvious to one of ordinary skill in the art to enhance the combination of Kaelble and Pack by incorporating the ability to transfer a task-specific database to the estimating and purchasing modules, relying on the knowledge in the art of passing data between computer modules to reduce input time. Applicant respectfully disagrees with the obviousness conclusion reached by the Examiner. While it is undoubtedly known in the art to pass relevant information back and forth between related computer modules, it is not well-known in the art to pass information back and forth between unrelated computer modules. As discussed above, the websites of Kaelble and Pack have distinct unrelated and non-integrated functions that a user accesses in piecemeal fashion.

Because of this piecemeal access and functionality, one of skill in the art would not be motivated to pass information between unrelated website aspects. The training features of the websites discussed in Kaelble and Pack have no relevant information to pass to any other website section. Similarly, the other site portions do not have needed information to pass to other parts, even if they were disclosed as being related and connected in some way.

Because the cited references fail to teach or suggest all claim limitations of claim 1, and because there is no motivation to combine the references in any manner that would lead to a reasonable expectation of success at arriving at the claimed invention, Applicant respectfully submits that claim 1 is not made obvious by the cited references. Dependent claims 2-4, 7-9, 12-13, and 44-45 are at least allowable for the same reasons. Applicant therefore respectfully requests removal of the rejections.

Independent claims 14, 30, and 34 contain similar limitations and are allowable for the same reasons. Specifically, claim 14 includes limitations to “generating project information using said user input and said information pertaining to said task,” “selectively transmitting said generated project information” to other modules, tracking and transmitting to other modules information relating to materials or services required for the task and purchasing materials or services “using said transmitted information relating to” the materials or services required for the task. Claim 30 includes limitations to “generating project information by said training module utilizing said user input,” “tracking and selectively transmitting said project information generated by said training module,” estimating the cost of materials or services “based upon said project information generated by said training module,” and “executing a purchasing module to enable the purchasing of at least one of (i) said materials and (ii) said services for which the estimating module estimated the cost.” Claim 34 requires “generating project information

utilizing said user input,” “transmitting said project information relating to said user input to any other module of said computer system,” “estimating the cost” of materials or services “utilizing said project information generated from said user input,” “selectively transmitting information” about materials or services “to any other module of said computer system,” and “purchasing at least one of (i) said materials and (ii) said services required for said task using said transmitted information relating to at least one of (i) said materials and (ii) said services.”


As discussed above, the combination of references cited by the Examiner fail to disclose these limitations, and one of skill in the art would not be motivated to combine the references in any way that one of skill in the art could expect success in arriving at the claimed invention. Applicant therefore respectfully submits that the combination of cited references fails to make obvious claims 14, 30, 34, or any claims dependent from these claims. Applicant therefore respectfully requests removal of the rejections for claims 14-16, 18, 21, 23-25, 28-30 and 34-43.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

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Respectfully submitted,



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